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Incentives For Higher Education In Law Enforcement

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Abstract

The fast pace of law enforcement today has placed a demand for a different type of law enforcement officer. A law enforcement officer must be able to understand and interpret many complex issues. Agencies must recognize the need to achieve a higher level of both education and training. Incentive pay or skill development pays for achieving a degree or advancement in a certification. This should motivate officers to want to achieve higher goals. The task presented is to investigate the importance for the La Grange Police Department to implement an incentive pay system. This will motivate current officers to achieve higher education and training. This proposal will show them the benefits of well-educated and trained law enforcement to the La Grange Police Department and the citizens of La Grange.

The intended outcome of this research project is to show that there is growing need for higher educated and well-trained officers in law enforcement. By implementing a pay incentive in La Grange Police Department, they will achieve a reduction in liability, retention of officers, and projection of professionalism

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INTRODUCTION

The fast pace of law enforcement today has placed a demand for a different type of law enforcement officer. “The organizational, societal, and technical demands of policing are greater today than at any previous”(Garner, 1998). Society has placed a higher expectation on law enforcement officers today, than in years past. A law enforcement officer must be able to understand and interpret many complex issues. They must deal with social issues in the community, constitutional limitation on arrests, search and seizure, use of force, and many other issues. With this in mind, law enforcement agency administrators, and city government must realize the need to raise the standard. Law enforcement agencies need to achieve a higher level of both education and training.

The underlying problem of minimal or low standards have already been set in this profession compounded by agencies who are experiencing difficulty in getting the support from city government to fund such problems. According to Ferreira, communities will have to understand the economic; they get what they pay for. Incentive pay for achieving a degree or advancement in a certification would motivate officers to want to achieve higher goals, which should produce a better employee for the police department (1997). Organizations that provide for only the required amount of training, and have no incentive for education, or training are basically stating that education and training are not a priority in their department.

The task undertaken is to investigate the importance for the La Grange Police Department to implement an incentive pay system. This system would provide a pay increase for the acquisition of advanced education, job knowledge, training, and

obtaining the different licenses offered by The Texas Commission On Law Enforcement Officers Standards and Education (TCLEOSE, 1998). If implemented this may very well motivate current officers to achieve higher education and training goals.

Implementing this system can empower the individual to take control of his or her career development. An incentive program can also be used as a tool for recruitment of new officers, and retention of experienced officers already in the La Grange Police Department. This research will be presented to the police administration, city manager, mayor, and city council of La Grange. It will present the benefits of well-educated and trained law enforcement, not only to the La Grange Police Department and the citizens of La Grange, but also to the communities of Fayette County, and the state of Texas.

The sources of information that will be reviewed for this project are: magazine articles, books, journals, and surveys of other departments in Texas that are similar in population and personnel as the La Grange Police Department. All source information will be in a reference list. The intended outcome of this research is to show that there is growing need for higher educated and well-trained officers in law enforcement. By implementing a pay incentive in La Grange Police Department, the organization may find a reduction in liability, be able to retain highly motivated and skilled Police officers, and project professionalism. Other law enforcement agencies can benefit for the same reason. More specifically the community stands to benefit as a whole.

Review of Literature

The fast pace of this century has resulted in vast changes in the criminal justice profession. In the early days of policing, officers witnessed everything from standardizing uniforms to telephones, radios and of course the automobile, which have all

improved police communication, and mobility. Recently law enforcement officers have had to adapt to the changing times in the criminal justice profession. In the era of mobile data terminals in patrol units, patrol unit cameras, bio terrorism, changing case law, and constitutional restraints, law enforcement officers are expected to enforce the laws, and understand the political and social issues in which they work in.

With this in mind, many individuals have made great attempts to offer those who enter into the law enforcement profession the ability to become better equipped to handle all aspects of this profession, by better education, and training. “Informed and well trained officers who know and understand their roles are most likely to leave those they serve with a positive impression of themselves and the organization they represent” (Unsingler & More, 1990).

Let’s turn back the clock to the 1900’s and August Vollmer. Vollmer was the chief of police at the University of California Berkeley, who is also known as “The father of police professionalism”. He was a strong advocate for educational requirements and preferred applicants with a degree (Jordan, 1993). With this strong belief in the importance of education in law enforcement, Vollmer preferred college students and recruited them heavily. Vollmer’s officers were known as “Berkeley’s college cops” (Jordan, 1993).

The beginning of formal university based criminal justice programs date back to the late 1920’s. The first to implement a law enforcement program was U.S.C. in 1929. By 1935 Michigan State offered a bachelor in science in police administration. As time has evolved the number of law enforcement criminal justice programs in the country has grown (Cobb, 2003). The importance of the growth in the criminal justice programs in a

university or college setting is a simple one to explain. Education at this level is usually broad based, which covers the theory and philosophy of the subject matter. Examples include studying psychology to better understand human behavior, studying law, and reading case law to better handle a subject when making an arrest or making a search and seizure of someone's property. In addition, studying social and natural sciences to develop a better understanding of the world's environment, and how we all relate to each other (Ferreria, 1997). "The qualities which law enforcement leaders claim to look for in recruits are the very one which liberal education is believed to nurture" (Hayslip, 1989).

In the 1960's this great country was going through many changes, one of these changes was occurring in the law enforcement community. It can be said that during the 1960's violence, racial tension, and crime were all on the rise. President Lyndon Johnson had a belief or interests that better educating law enforcement officers and law enforcement management would produce a better, and more understanding law enforcement officer. With this in mind President Johnson and Congress enacted such legislation as the Omnibus Safe Streets and the Crime Control Act of 1968 (Shernock and Dantzer, 1978). This legislation would open the doors to the creation of Law Enforcement Assistance Administration, LEEA, subsequently LEEP, and the Law Enforcement Education Program. One of the functions of these programs was to provide federal money to universities and colleges to create criminal justice or police science programs. This was a step in the right direction.

In 1965, the 59th Texas Legislature created The Texas Commission on Law Enforcement Officers Standards and Education, TCLEOSE for short. TCLEOSE was empowered to set the minimum standards for licensing all Texas peace officers, jailers,

armed public security officers, and law enforcement instructors. “The focus of enabling legislation was to improve the proficiency of law enforcement” (TCLEOSE,98). In the beginning there were no funds, and private foundations, and federal grants funded operations. In 1967 the 60th Texas Legislature funded an Executive Director, and three staff members. At this time a voluntary program of certification was introduced, and implemented three different certification levels: Basic Peace Officer, Intermediate Peace Officer, and Advanced Peace Officer. Later TCLEOSE would add a fourth certification, which is a Master Peace Officer. TCLEOSE was created not only to improve proficiency, it was also created to enhance training, education, and the standards in which people are employed to be Texas peace officers.

In 1967, George Beto took on the giant task of creating the College of Criminal Justice at Sam Houston State University. The College of Criminal Justice provides a rich environment to conduct research and educate a student in the criminal justice field. Today, the College of Criminal Justice at Sam Houston State University is one of the nation’s oldest and largest institutions, and is national ranked as one of the best (SHSU, 2003). The College of Criminal Justice not only brought in federal money to the university, it also brought the State Of Texas a higher education program in the criminal justice field.

“While the evidence is not conclusive, a preponderance of research clearly suggests that the college experience has a desirable effect on law enforcement officer” (Carter and Sapp, 1990). In Carter and Sapp research, college educated officers are more responsive to the general public, flexible in solving problems, show greater empathy

towards minorities, tend to be better decision makers, creative, goal driven, and generally less cynical than some one that has not been to college (Carter and Sapp, 1990).

As the debate continues over the potential benefits of college education requirements and law enforcement, it was clear from the beginning that, instead of moving forward to enhance the entry requirements and strengthen or change the curriculum, policy maker, continue to struggle over the merit of higher education. (Garner, 1998). Einstein once said “everything that counts cannot be counted, and everything that can be counted may not count”. Basically stating that other professions do not question the importance of a college education in preparing an individual to meet certain challenges they may encounter (Garner, 1998). Effective street officer functions and decisions on how to respond to a complex and rapidly evolving situation is based on the internal instincts with minimal amounts of supervision, and or oversight (Fields and Meloni, 1999).

With this in mind, it is time to focus on something that city government, and police administration worry about the most, vicarious liability. “Basically, vicarious liability means...that supervisory level personal, along with the employing governmental agency, are held personally responsible for the torts of the employee” (Carter and Sapp, 1989). The courts have also identified certain areas that get departments into civil litigation. Some of the identified areas are: failure to train the employee, failure to supervise the employee, failure to protect, negligent entrustment, and failure to direct (Carter and Sapp, 1989). Vicarious liability may also be imposed on the department’s responsibility pertaining to hiring, retention, training, supervision, direction, and discipline. If a department does not have policies and procedures set in place, an

infringement of a person's constitutional rights may be disastrous to an agency (Unsinger and More, 1990).

Most suits filed in court are filed against an officer in his official capacity; this enables the person filing the suit to recover damages from other individuals, such as the Chief of Police, and the city government. "Courts look favorably upon municipal governments that can clearly demonstrate that the high ranking employees of that government are conforming to proper law enforcement standards, practices, constitutional constraints and applicable laws and statutes"(Unsinger and More, 1990). In a review of damages awarded to plaintiffs in liability cases the 12 issues of the Liability Reporter from 1987-1988 stated monetary rewards of around \$1,758,000. In addition monetary limits have been all but dissolved and liability suits against police departments and the parent jurisdiction have become the norm. This is often referred to as the "deep pocket" (Carter and Sapp, 1989). If law enforcement agencies provide incentives to better train and educate their employees, there will be a reduction in liability.

Another way that city government and law enforcement agencies can help reduce this risk of being successfully sued is not only to recruit better officers, but also to retain current officers of the department. Retention is a problem that all law enforcement agencies face. This presents the question, "Who wants this job" (Domash, 2002)? It seems that as requirements for officers have increased, salaries or compensation packages have not, thus people that may have been interested in a career in law enforcement are turning to the private sector. Add a stumbling economy, which produces low sales tax revenues, many municipalities are forced with the decision to trim their police forces, and

possibly freeze wages. Combine a large number of law enforcement officers approaching retirement point, and you potentially have an unprecedented crisis in law enforcement (Domash, 2002). Chicago Police Department spokesmen contend that “they have not lowered the standards, and none would officially say public safety would be compromised. But the shortage in qualified candidates who want to be officers is growing” (Domash, 2002). The problem is when departments raised their standards to include college; the salaries they offered to pay were not in line with what a person could make in the private industry. Many agencies that had large application pools are now finding it difficult to find new recruits, and even harder keep them. The bottom line is simple, “If you want a qualified, professional police officer you have to pay them what they are worth” says Joseph Mancini, a spokesman for the NYPD police union (Domash, 2002). Currently, urban areas are starting to recognize the professional accomplishments made by their police organizations, and are trying to compensate them accordingly. At the same time rural areas do not view peace officers as being anything close to a professional, and the pay scale reflects this.

Most people today feel it takes very little skill to be a police officer, and police are paid accordingly (Mecum, 1979). “For decades, the call for professionalism in the law enforcement field focused on the increasing the educational levels of police” (Breci, 1994). A modern day law enforcement officer’s job is one that requires him or her to balance their sworn responsibility of upholding the laws and maintaining the peace while, remaining within the framework the social norms of the professionalism. (Cascio and Real, 1976)

The Texas Commission on Law Enforcement Officers Standards and Education recognizes the importance of education to assist officers with obtaining a certain level of professionalism. TCLEOSE also realizes the importance of training, experience, and knowledge needed in this profession. Thus TCLEOSE set forth standards of their own to assist Texas peace officers with obtaining valuable training. One standard is every peace officer is required to have at least forty hours of training, every two-year, with two required courses, one is cultural diversity, and the second is special topic (TCLEOSE, 1998).

As officers start to accumulate training, education, and time working in this profession, TCLEOSE has set forth certification levels for distinction of Texas peace officers to achieve, thus establishing a level of professionalism. The certification levels are as follows:

- A basic peace officer, has successfully completed the course of instruction at an accredited police academy, has one year of experience as a peace officer, and commissioned by a Texas law enforcement agency (TCLEOSE, 1998).
- An intermediate peace officer has to have a basic peace officer's license, and one of the following combinations of training hours or degrees and peace officer experience. Four hundred training hours and eight years experience...eight hundred training hours and six years experience...one thousand two hundred training hours and four years experience or an associate's degree and four years of experience...two thousand four hundred training hours and two years or a bachelor's degree and two years experience. If you enter the profession after January 01, 1987 you also have to have attended the five core courses: child

abuse, crime scene investigation, use of force, arrest search and seizure, and Spanish for law enforcement (TCLEOSE, 1998).

- An advance peace officer has an intermediate peace officer certification, and one of the following combinations of training hours or degrees and peace officer experience. Eight hundred training hours and twelve years experience...one thousand two hundred training hours and nine years or an associate's degree and six years...two thousand four hundred training hours and six years or a bachelor's degree and six years (TCLEOSE, 1998).

- A master peace officer has an advance peace officers certificate, and one of the following combinations of training hours or degrees and peace officer experience. One thousand two hundred training hours and twenty years or an associate degree and twelve years...two thousand four hundred training hours and fifteen years or a bachelor's degree and nine years...three thousand three hundred training hours and twelve years or a master's degree and seven...four thousand training hours and ten years or a doctoral degree and five years (TCLEOSE, 1998). As one can clearly see college hours alone give a peace officer a distinct advantage in acquiring peace officer license over those with no higher education background (Potter, 1997).

Today's society is witnessing a rapid growth in the educational standards in this county. With this in mind if law enforcement does not adamantly work to raise the educational standards in its own profession it will have a disastrous effect on the profession. If law enforcement neglects to keep up with the rising standards in other professions, the results could mean a smaller and less qualified applicant pool to assume

the responsibilities of modern policing (Saunders, 1970). “Departments will not officially admit what they are privately saying –with staffing shortages and a possibility of lowering the standards for recruits, civilians nationwide are going to see a slow and gradual change in the quality of law enforcement, one that by all indications will not be for the better” (Domash, 2002).

Methodology

Law enforcement administrators and city government need to come to understand that pay incentive program or a career development program is not just a dollar figure, but a positive investment in the community, and the people they employ. It could be hypothesized that the best way to motivate someone is to reward him or her. A career development/skill-based pay program is an alternative way to compensate employees and reward them for acquiring and applying skills and knowledge that adds to the organization.

Currently there are several law enforcement agencies that have implemented incentive systems to encourage their officers to not only seek higher education levels, but also continuing their knowledge by obtaining training that exceeds the minimum requirement. Factors taken into consideration before gathering information to be used in this study were as follow: Agencies had to be a municipal police department, with a community population of four to seven thousand. The police force had to consist of nine to fifteen full times sworn officers, with exception of two smaller municipal police departments located in the same county, as the La Grange Police Department. Agencies must also be located in the south central part of Texas, with relevant distance to La

Grange, Texas. The information gathered for this study was obtained through a telephone survey, which consisted of questions pertaining to the agency, and an incentive pay system

A total of fifteen south central Texas agencies were notified by phone to complete the survey. All information collected was reviewed and compiled into individual categories. The information collected that was relevant to the study of incentive pay will be put into graph form (See Figure 1)

Findings

The nature of law enforcement officers, vocation, their background, training, education, and life experiences, helps them to develop a sense of fairness. Which enables them to determine what is right and what is wrong.

A survey was conducted among fifteen south central Texas municipal police departments to determine if the agencies provide incentives for their employee; tuition reimbursement, a college degree, or obtain training to raise their certification with TCLEOSE.

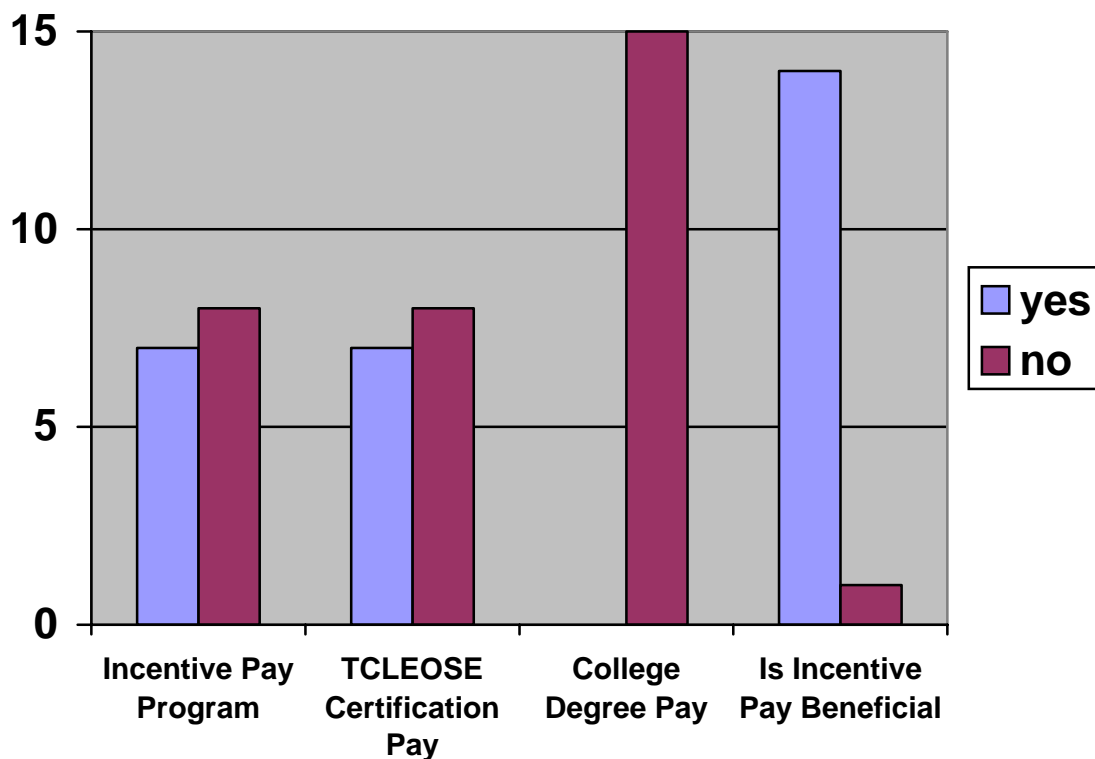


Figure 1: Survey Response

The two smallest agencies surveyed were the Flatonia Police Department, and the Schulenburg Police Department. Both of these agencies are located in the same county as the La Grange Police Department. The Flatonia Police Department has four full-time sworn officers, and protects a community of approximately one thousand three hundred. Flatonia has an incentive program for TCLEOSE certifications. The Schulenburg Police department has six full-time sworn officers, and protects a community of approximately two thousand-six hundred ninety-nine, and did not offer any type of incentives for their personnel.

The remaining thirteen agencies had mixed responses. Of the thirteen, six had some form of incentive pay to encourage officers to expand their knowledge through training, by offering incentive pay for advancements in TCLEOSE certifications (See

Figure 1). The remaining eight departments offered nothing in the form of incentive pay. As for college reimbursements this seemed to be a laughing matter amongst most departments questioned. Some replied that it was almost impossible to get pay raises for their officers, much less pay for college.

None of the departments surveyed offered any type of incentive that dealt specifically with education, or pursuing college degrees. Which could be interpreted to support Garner theory of a cultural bias among longtime officers opposed to requirements that might jeopardize their position or promotability (Garner, 1998). Officers that have been in the profession many years may feel threatened by officers that have more college experience.

When presented the question do educational incentive programs benefit the department in such ways as liability, retention, and professionalism, every department responded yes, and some even “Hell YES”, except one. This is equivalent to 93 % of the agencies surveyed.

When asked if incentive pay would be a benefit to the department and possibly encourage officers to seek higher education and more training. 93% (fourteen out of fifteen) said it was, and 7% (one out of fifteen) said it was not. One department advised several officers were lost after completing college, to other agencies that had incentive programs in place.

Discussion/Conclusion

Law enforcement administrators must be able explain to city government that “If policing is ever to be viewed as a true profession, we must demand educational standards that are commensurate” (Garner, 1998). This project was to investigate how the La

Grange Police Department, the citizens of Fayette County, and the employees could benefit from a pay incentive, or career development program. It was hypothesized that having a incentive program or career development program would not only motivate officers to seek more training and education, but assist with retention of qualified officer, which in turn will assist with liability issues. This will in turn project professionalism.

One of the key issues uncovered during this study was funding. Sadly rural areas seem to be a victim of the all mighty dollar. Several respondents voiced the concern that they could barely pay a comparable salary, much less one that would attract someone that just finished four-years of college. As law enforcement continues to move forward with technology, and community policing issues, data will continue to be gathered at an even faster pace. Data gathered for such issues, as racial profiling will need to be analyzed and interrupted by the police professional, so that if problems arise they can be dealt with accordingly.

If rural departments do not start investing in the future of their employees, the end result may not be a desired one. Which leads to the quote “You can pay me now, or you can pay someone else later”. Today law enforcement requires insight into many complex issues of legal statues, human behavior, cultural and social issues that are only introduced through education (Ferreira, 1997). The findings of the survey were very supportive that pay incentives motivate officers to seek more training, which interrupted is education.

It was once said, “Like a top conditioned athlete reacting to a competitor’s challenge, the officer instinctively combines years of experience, training, education and personal values to react”. (Field and Meloni, 1999)

A well-trained law enforcement officer should be viewed as an asset to their agency, and the community in which they serve. The incentive pay system or career development system should be viewed in the same manner. Incentive pay provides for employee growth and advancement while assuring the organization of improved service on the investment of the employee training and skill development. It is a win, win situation for all parties involved.

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